

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

NORTHSTAR AVIATION L.L.C., <i>et al.</i> ,)	
)	
Plaintiffs/Counterclaim Defendants,)	
)	
v.)	
)	C. A. No. 1:18cv191-TSE-JFA
ALDEN BURT ALBERTO,)	
a/k/a Reno Alberto,)	
)	
Defendant/Counterclaim Plaintiff.)	
)	

**PLAINTIFFS’/COUNTERCLAIM DEFENDANTS’ MOTION FOR LEAVE TO AMEND
THE PARTIES’ JOINT STIPULATION OF UNCONTESTED FACTS TO OMIT
LEGAL CONCLUSIONS**

Plaintiffs/Counterclaim Defendants NorthStar Aviation L.L.C. (“NorthStar UAE”) and NorthStar Aviation USA, LLC (“NorthStar USA,” and collectively with NorthStar UAE, “NorthStar”), by counsel, hereby move for leave to amend the parties’ previously submitted Joint Stipulation of Uncontested Facts (Dkt. 197) to eliminate certain legal conclusions improperly reflected in that document. For the reasons stated in NorthStar’s memorandum of law supporting this Motion, filed concurrently herewith and incorporated herein, by reference, NorthStar respectfully asks the Court to grant this Motion and to strike Paragraphs 14 and 41 from the Stipulation.

WHEREFORE, NorthStar respectfully prays that the Court enter an Order, ADJUDGING, ORDERING and DECREERING that:

- (1) Paragraphs 14 and 41 of the Joint Stipulation of Uncontested Facts (Dkt. 197) set forth certain legal conclusions to which the parties are incapable of stipulating, as a matter of law; and

(2) Paragraphs 14 and 41 of the Joint Stipulation of Uncontested Facts (Dkt. 197) are therefore
STRICKEN from the record.

Respectfully submitted,

NORTHSTAR AVIATION L.L.C. and
NORTHSTAR AVIATION USA, LLC

By: DUNLAP BENNETT & LUDWIG PLLC

/s/ Kevin T. Streit
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Counsel for the Plaintiffs/Counterclaim Defendants

CERTIFICATE OF CONFERENCE

I hereby certify that on February 22, 2019, I conferred by telephone with opposing counsel, Nicholas Johnson, Esq., and Clyde Findley, Esq., to point out that Paragraphs 14 and 41 of the Joint Stipulation of Uncontested Facts (Dkt. 197) contained legal conclusions to which the parties could not stipulate, and proposed amended the Stipulation to omit or revise those Paragraphs. Messrs. Johnson and Findley did not agree to that proposal, and NorthStar's counsel advised them that NorthStar would therefore move to amend the Stipulation to clarify the factual record.

/s/ Kevin T. Streit

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CERTIFICATE OF SERVICE

I hereby certify that on this, the 8th day of March, 2019, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to the following:

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